

REMARKS/ARGUMENTS

Claims 1-14 and 16-24 are present in this application. By this Amendment, claims 1, 13 and 14 have been amended. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Claims 1, 6, 7, 10, 12-15, 20, 21 and 24 were rejected under 35 U.S.C. §103(a) over Hatamura in view of Abels et al. This rejection is respectfully traversed.

In paragraph 5, the Office Action recognizes that the references (Hatamura and Abels) are concerned with lateral stability. As such, the Office Action recognizes that the references lack an assessment of boom stability in forward and backward directions. The Office Action suggested that the “forward and backward directions” be defined in the claims with respect to the pivot axes of the boom and the cylinder. In this context, however, since these components may be mounted on a turntable, an orientation of the pivot axes of the boom and cylinder would vary based on a position of the turntable. The assessment of forward and backward stability can rather be defined based on the front and rear of the boom lift vehicle.

By this Amendment, claims 1, 13 and 14 have been amended to recite that the forward and backward directions are defined relative to a front and a rear of the boom lift vehicle. As discussed previously, the Abels patent, in contrast, is silent with regard to backward stability. Indeed, due to the nature of the described structure (i.e., a forklift truck), Abels is entirely unconcerned with backward stability.

Since at least this subject matter is lacking in Hatamura and Abels, taken singly or in combination, Applicants submit that the rejection is misplaced.

With respect to the dependent claims, Applicants submit that these claims are allowable at least by virtue of their dependency on an allowable independent claim.

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Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 11 was rejected under 35 U.S.C. §103(a) over Hatamura in view of Abels and Miyasaki. The Miyasaki patent, however, does not correct the deficiencies noted above with regard to independent claim 1. As a consequence, Applicants submit that claim 11 is allowable at least by virtue of its dependency on an allowable independent claim. Withdrawal of the rejection is requested.

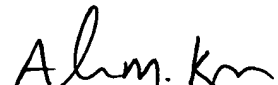
Applicants acknowledge with appreciation the indication that claims 2-5, 8, 9, 16-19, 22 and 23 are allowable.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the claims are patentable over the art of record and that the application is in condition for allowance. Should the Examiner believe that anything further is desirable in order to place the application in condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Prompt passage to issuance is earnestly solicited.

Respectfully submitted,

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